

**FACTSHEET**

**TITLE:** COMPREHENSIVE PLAN AMENDMENT NO. 05012,  
by the Director of Planning, at the request of Prairie  
Homes, to amend the 2025 Lincoln/Lancaster County  
Comprehensive Plan, to change the land use from Urban  
Residential to Commercial and to change the commercial  
size designation from Neighborhood Center to  
Community Center, on land generally located at North 84<sup>th</sup>  
Street and Adams Street.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 04/13/05  
Administrative Action: 04/13/05

**RECOMMENDATION:** **Denial** (5-4: Pearson, Marvin,  
Carlson, Taylor and Larson voting 'yes'; Carroll, Krieser,  
Sunderman and Bills-Strand voting 'no').

**STAFF RECOMMENDATION:** Approval, with two additional  
amendments.

1. This proposed Comprehensive Plan Amendment was heard before the Planning Commission in conjunction with an associated annexation request and the proposed Prairie Village North Planned Unit Development. The applicant has requested that only the Comprehensive Plan Amendment be considered by the City Council at this time.
2. The applicant has proposed the following:
  - Change the land use along the east side of 84<sup>th</sup> Street, north of Adams Street, from Urban Residential to Commercial; and
  - Change the commercial size designation from Neighborhood Center to a Community Center.

As a result of the applicant's request, the Director of Planning also recommends the following:

  - Minor change from Urban Residential to Commercial on the southeast corner of 84<sup>th</sup> and Adams to reflect the land use boundary between commercial and residential uses established in the Prairie Village Community Unit Plan approved in August 2002; and
  - Change from Commercial to Urban Residential on the northeast corner of 84<sup>th</sup> and Leighton Avenue to reflect the residential (apartment use) approved in the Prairie Village Community Unit Plan.
3. The staff recommendation of approval is based upon the "*Comprehensive Plan Implications*" as set forth on p.3-4, concluding that from 1996 to 2004, the Comprehensive Plan designated the northeast corner of 84<sup>th</sup> and Adams for a major commercial and industrial employment center. This property could have had over 2 million square feet of industrial/commercial space. The land was also designated for a Community sized commercial center. Traffic plans were based on this extensive development. At the landowner's request, these designations were changed to Urban Residential with a Neighborhood Center by the City Council and County Board in June 2004. This proposal, which was coupled with Option A in a proposed planned unit development that contained two options, is more in keeping with the goals of the Comprehensive Plan which encourages mixed use centers, with higher density residential and more pedestrian orientation. Option A also provides a better transitional use on the southeast corner of 84<sup>th</sup> and Adams to the school site and eliminates the strip of commercial shown on the plan at 84<sup>th</sup> & Leighton. Finally, it returns the "Community Center" designation to the northeast corner of 84<sup>th</sup> and Adams, similar to the designation from 1996 to 2004. The specific amendments to the Comprehensive Plan are set forth on p.5.
4. Option B of the associated Prairie Village North Planned Unit Development was withdrawn by the applicant's representative on April 13, 2005. The applicant's testimony and other testimony in support is found on p.6-8. Attorney Peter Katt urged that the commercial component has received the greatest attention; however, it is by far the smaller piece of the proposal and it is his client who has the greatest stake in seeing that the commercial component is an asset and not a liability for the remainder of the property (See Minutes, p.7 and 11).
5. Testimony either in a neutral position or in opposition is found on p.8 and 10-11.
6. The correspondence submitted prior to the public hearing before the Planning Commission is found on p.22-27, including six messages in favor of Option A, if the associated PUD is approved.
7. On April 13, 2005, the majority of the Planning Commission disagreed with the staff recommendation and voted 5-4 to recommend **denial** (Pearson, Marvin, Carlson, Taylor and Larson voting 'yes'; Carroll, Krieser, Sunderman and Bills-Strand voting 'no' (See Minutes, p.13-14).
8. On April 27, 2005, the Planning Commission considered a request by attorney Peter Katt to rescind the recommendation of denial. A motion to rescind was made and seconded, but failed 2-7 (Larson and Krieser voting 'yes'; Carroll, Pearson, Marvin, Sunderman, Carlson, Taylor and Bills-Strand voting 'no' (See Minutes, p.14-16). Therefore, the Planning Commission recommendation of denial stands.

Comprehensive Plan Amendment No. 05012  
84<sup>th</sup> and Adams  
Community Commercial Center

Applicant	Location	Proposal
Jason Thiellen for Prairie Homes	North 84 <sup>th</sup> Street and Adams Street, including area northeast of 84 <sup>th</sup> & Leighton	Generally to approve a Community sized commercial center at 84 <sup>th</sup> and Adams, see below for complete details
<b>Recommendation: Approval</b>		

Status/Description

The applicant proposes the following for the land northeast of N. 84<sup>th</sup> and Adams Street :

1. Change the land use from Urban Residential to Commercial
2. Change the commercial size designation from Neighborhood Center to a Community Center

As a result of this application, the Planning Department recommends in addition:

3. Minor change from Urban Residential to Commercial on the southeast corner of 84<sup>th</sup> and Adams to reflect the land use boundary between commercial and residential uses established in the Prairie Village Community Unit Plan (CUP) approved in August 2002
4. Change from Commercial to Urban Residential on the northeast corner of 84<sup>th</sup> and Leighton Avenue reflect the residential (apartment use) approved as in the Prairie Village CUP

This application is associated with Annexation 05005 and Change of Zone 05020 – the Prairie Village North Planned Unit Development (PUD). Specifically, this amendment is needed for Option A of the PUD, which proposes to re-establish the large Community size commercial center on the northeast corner of 84<sup>th</sup> and Adams and provide a transitional office use on the southeast corner. The PUD also includes an Option B, with a Neighborhood Center on the northeast corner and a more intensive commercial use on the southeast corner.

If the City Council chooses to approve Option B of Change of Zone 05020, then this Comprehensive Plan Amendment will be withdrawn by the Director of Planning. This Comprehensive Plan amendment is only needed for Option A.

**History:**

In November 1996, this land on the northeast corner of 84<sup>th</sup> & Adams was first designated as industrial as a result of Comprehensive Plan Amendment #94-04 to the 1994 Comprehensive Plan. This amendment adopted the N. 84<sup>th</sup> Street Subarea Plan, which consisted of a land use map and accompanying notes. In 1996 the staff report and notes on the subarea plan noted that “if demand for the employment centers is not realized, these areas would be appropriate for urban residential development.”

In May 2002, the newly adopted 2025 Lincoln/ Lancaster County Comprehensive Plan continued to designate over 250 acres of land northeast of 84<sup>th</sup> and Adams as industrial for a future “Employment Center” and added the “Community” sized commercial center. This could have potentially permitted development over 2 million square feet of industrial and commercial space on the northeast corner of 84<sup>th</sup> and Adams Street, similar to what was approved in 1996. The Plan continued to designate a strip of commercial use on the east side of 84<sup>th</sup> Street from Leighton Avenue to Adams Street.

In August 2002, the City Council approved the Prairie Village change of zone, special permit and annexation for the land between Leighton and Adams, east of 84<sup>th</sup> Street. This plan included an apartment area on the northeast corner of 84<sup>th</sup> & Leighton, and a “future commercial site” on the southeast corner of 84<sup>th</sup> and Adams Street. The apartment site was zoned R-3 residential, and the “future commercial” remained zoned AG Agricultural. The plan also included the existing church site east of the commercial area at 87<sup>th</sup> and Adams Street. The land north of the church site, across Adams, was designated as industrial in the Comprehensive Plan at the time.

In June 2004, the City Council and County Board approved Comprehensive Plan Amendment #04012 which eliminated the industrial and Community size commercial center on the northeast corner of 84<sup>th</sup> and Adams Street and instead designated the area for urban residential with a smaller Neighborhood size commercial center.

This application is basically to return the Community size center to the Plan, but without the previously approved industrial uses. It would also remove the strip commercial uses from the northeast corner of 84<sup>th</sup> and Leighton and correct the boundary of the proposed office area on the southeast corner of 84<sup>th</sup> and Adams Street.

#### Comprehensive Plan Implications

The Comprehensive Plan states:

##### ***“Commercial and Industrial Development Strategy***

*The commercial and industrial development strategy presented below seeks to fulfill two notable objectives: (1) the approach is designed to provide flexibility to the marketplace in siting future commercial and industrial locations; while at the same time (2) offering neighborhoods, present and future home owners, other businesses, and infrastructure providers with a level of predictability as to where such employment concentrations might be located. Balancing these two objectives in a meaningful way will require diligence, mutual understanding, and an ongoing planning dialogue. (F 37 -38)*

##### ***Guiding Principles applying to all forms of Commerce Centers are:***

*Commerce Centers should develop as compact clusters or hubs with appropriate site design features to accommodate shared parking, ease of pedestrian movement, minimize impacts on adjacent areas, and possess a unique character.*

*Commerce Centers should generally contain a mix of land uses, including residential uses. Higher density residential uses should be included in and/or adjacent to all commercial centers. Single use centers are discouraged - for example, office parks should include a supporting retailing component, while shopping centers should include an applicable amount of office uses.*

*Strip commercial development is discouraged. Commerce Centers should not develop in a linear strip along a roadway nor be completely auto oriented.*

*Buildings and land uses at the edge of the center should be compatible with adjacent residential uses. Examples of compatible land uses include offices or child care centers. Buildings should be compatible in terms of height, building materials and setback. Small compatible commercial buildings at the edge could include retail or service uses. Buildings with more intrusive uses should have greater setbacks, screening requirements and be built of more compatible materials.*

*The most intensive commercial uses, such as restaurants, car washes, grocery stores, gasoline/convenience stores and drive thru facilities should be located nearer to the major street or roadway and furthest from the residential area. Lighting, dumpsters, loading docks and other service areas should be shielded from the residential area. (Page F 41)*

*Community Centers “may vary in size from 300,000 to nearly a million square feet of commercial space. Typically, new Community Centers will range from 300,000 to 500,000 square feet.” (Page F 45)*

*Neighborhood Centers typically range in size from 150,000 to 250,000 square feet of commercial space. Existing centers may vary in size from 50,000 to 300,000 square feet. (Page F 46)*

The staff report for the Comprehensive Plan Amendment last year to delete the Community Center noted that “there are already three Community Centers designated in the Plan in this vicinity: 1) 84<sup>th</sup> and Holdrege; 2) 84<sup>th</sup> and O Street and 3) 98<sup>th</sup> and O Street. The Community Center designation at 84<sup>th</sup> and Adams was not necessary to serve the needs of this area, but was instead reflecting that the large Employment Center may also include some office and retail use that would be beyond the size of a Neighborhood Center. If the 84<sup>th</sup> and Adams Community Center is deleted, a new location for this center does not need to be found, due to the proximity to three other Community Centers.”

While the Option A proposal does add a Community size center in area that already has a large center only a mile away at 84<sup>th</sup> & Holdrege, this proposal is a better plan than the alternative – the Option B. This proposal, Option A, is more in keeping with the goals of the Comprehensive Plan which encourages mixed use centers, with higher density residential and more pedestrian orientation. The Option A also provides a better transitional use on the southeast corner of 84<sup>th</sup> and Adams to the school site and eliminates the strip of commercial shown on the plan at 84<sup>th</sup> & Leighton.

The proposed site plan for Prairie Village North in Change of Zone 05020 includes a mix of housing types and commercial uses and a pedestrian orientation to the overall project and some of the commercial area. It provides for higher density housing immediately adjacent to the commercial area as encouraged in the Comprehensive Plan.

This proposal does not increase the overall commercial space approved in Comprehensive Plan when it was adopted in 2002. At that time, there could have been over 2 million square feet of commercial and industrial space ultimately on the northeast corner and several hundred thousand square feet of strip commercial along 84<sup>th</sup> Street from Leighton to Adams.

### **Conclusion**

From 1996 to 2004, the Comprehensive Plan designated the northeast corner of 84<sup>th</sup> and Adams for a major commercial and industrial employment center. This property could have had over 2 million square feet of commercial space. The land was also designated as a Community sized commercial center. Traffic plans were based on this extensive development. At the landowner’s request, these designation were eliminated by the City Council and County Board in June 2004.

This proposal, Option A, is more in keeping with the goals of the Comprehensive Plan which encourages mixed use centers, with higher density residential and more pedestrian orientation. The Option A also provides a better

transitional use on the southeast corner of 84<sup>th</sup> and Adams to the school site and eliminate the strip of commercial shown on the plan at 84<sup>th</sup> & Leighton. Finally, it returns the “Community Center” designation to the northeast corner of 84<sup>th</sup> and Adams, similar to the designation from 1996 to 2004.

Amend the Comprehensive Plan as follows:

1. Amend the “Lincoln/Lancaster County Land Use Plan”, figure on pages F23 and F25, to change the land use designation from Urban Residential to Commercial on the northeast corner of 84<sup>th</sup> and Adams; from Urban Residential to Commercial near the southeast corner of 84<sup>th</sup> and Adams; and from Commercial to Urban Residential on the northeast corner of 84<sup>th</sup> and Leighton Avenue as shown on the attached plan.
2. Amend the “Existing and Proposed Commerce Centers” on Page F 41 to change the designation of the “Unbuilt Approved Center (Site Specific)” from a Neighborhood Center to a Community Center and reflect locations at North 84<sup>th</sup> and Adams Street.
3. Amend the list of proposed locations of “Proposed Locations” for future Community Centers on page F 46 to add a center as follows:
  - N. 84<sup>th</sup> & Adams Street

Prepared by

Stephen Henrichsen, AICP

Planning Department, (402) 441-6374: [shenrichsen@ci.lincoln.ne.us](mailto:shenrichsen@ci.lincoln.ne.us)

Prepared April 4, 2005

**COMPREHENSIVE PLAN AMENDMENT NO. 05012,  
ANNEXATION NO. 05005,  
and  
CHANGE OF ZONE NO. 05020,  
PRAIRIE VILLAGE PLANNED UNIT DEVELOPMENT**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

April 13, 2005

Members present: Carroll, Pearson, Marvin, Krieser, Sunderman, Carlson, Taylor, Larson and Bills-Strand.

Staff recommendation: Approval of the Comprehensive Plan Amendment; approval of the annexation, subject to an annexation agreement, and conditional approval of the Planned Unit Development.

Ex Parte Communications: None.

Becky Horner of Planning staff submitted four letters, one indicating preference for a site further north on 84<sup>th</sup> Street, and the other three letters urge a vote for Option A. Horner clarified that Option A is 800,000 square feet of commercial floor area and 850 dwelling units. In the applicant's submittal letter, Option A included a big box store on the northeast corner. Option B has been withdrawn by the applicant, which placed the big box store on the southeast corner.

Proponents

**1. Jason Thiellen of Engineering Design Consultants** appeared on behalf of **Prairie Homes**. He stated that Option B has been withdrawn and apologized for the late notice. Today was the first time they felt comfortable with just bringing forward Option A alone. Thiellen expressed appreciation to the Planning and Public Works staff for their hard work and cooperation, and he requested that the Commission and the adjacent neighborhoods be patient. They are all working very hard to come forward with a quality project and development for the community.

The Comprehensive Plan Amendment will allow development of the Prairie Village North Planned Unit Development. The change of zone request is from AG to R-3, R-5, O-3 and B-2 for approximately 850 dwelling units with combination of multi-family, townhomes, single family and attached single family. Option A encompasses many elements from the City's Comprehensive Plan, with pedestrian oriented retail plaza; a commercial center comprising of services desired by residential development; and an office park to provide jobs to the residents nearby. The office, commercial and retail area has been centralized within the development, the idea being to remove the strip mall look along 84<sup>th</sup> Street and create a destination for those coming to shop and those that will live. The entire development will be connected with a series of bikeways and pedestrian paths; the retail plaza is located between both of the big box units in the commercial area and will also be pedestrian oriented.

Thiellen reminded the Commission that these applications deal with the land use issues only within the PUD. The developer is not here to talk about specific uses. They have created a center with some higher density townhouse as well as a multi-family aspect. Everything else is single family and attached single family with office to the south side.

**2. Peter Katt** appeared on behalf of **Prairie Homes**, the developer. This has been a multi-year project in terms of his client. Prairie Homes has developed Prairie Village on the south side of Adams, and has now been able to assemble approximately 270 acres. That portion in the flood prone area in Stevens Creek has been excluded from this proposal. The issues in the flood prone area create more complexity.

Katt explained that the commercial component of this project is by far the smaller piece, and so far, from what he can tell, the commercial component has received the greatest attention. Katt does not believe that should be the case because it is a small component of creating a well-planned and organized residential and commercial area in north Lincoln. This area will well integrate the commercial components, transitioning and buffering into the residential area.

Katt also urged that this is a land use question. In terms of the Comprehensive Plan, this developer was involved in the last update which changed this area to residential and a neighborhood center. Immediately preceding that, this area was designated as an employment center. The benefit to the community now is that one owner can control and develop this entire area with one vision. They have brought forward a vision which the developer believes to be appropriate and fully consistent with the Comprehensive Plan, with minor amendment.

**3. Tom Huston**, 233 S. 13<sup>th</sup>, appeared on behalf of **Wal-Mart Stores**. This application is not Wal-Mart's application – it is a Prairie Home Village application, but the staff report talks about the potential location of Wal-Mart in this center. Huston stated that Wal-Mart is supportive of this application. When Wal-Mart was looking at the city to locate a store somewhere in the N. 84<sup>th</sup> Street corridor, obviously it started with the Comprehensive Plan and identified 20 acres at the southeast corner of 84<sup>th</sup> and Adams. At that time, this site on the northeast corner did not have that commercial designation. Wal-Mart recognizes the issues that have been presented by some of the adjoining neighborhoods, particularly Faith Lutheran, and had a meeting with them in March whereby Wal-Mart agreed to put the southeast corner application on hold and not pursue that pending resolution of the issues before the Commission today. Since that meeting, Wal-Mart will be taking the issue to its real estate committee and hopes to have a public announcement within 10 days to 2 weeks.

**4. Mark Hannemann**, Sr. Pastor at **Faith Lutheran Church**, appeared on behalf of the congregation and school in favor of Option A. The church and school had many concerns about the Wal-Mart proposal on the southeast corner and those concerns are significantly lessened with a commercial development across the street north. This would be a much better option for the church and school. They still have concerns about traffic volume, but if the big box store can be moved further away to the north, that will make for a better situation for families in the growing school and church ministry.

Hannemann also indicated that one of the major concerns is the potential (as was intimated in the article in the paper this week), that some kind of end-around could potentially happen with Wal-Mart resubmitting a proposal for that southeast corner of 84<sup>th</sup> and Adams. That is of great concern. Any safeguards that can be put in place to keep that type of large scale operation from the southeast corner will be appreciated.

Hannemann explained that Faith Lutheran moved from 63<sup>rd</sup> and Madison to 84<sup>th</sup> & Adams because of the increased traffic. The school was growing and traffic congestion was a significant issue there and they had hoped to avoid that in this new location. They realize that heavy volumes of traffic will be invited with both the residential and commercial uses, and they are concerned about the east/west connecting roads. However, the primary concern, of course, is the property immediately to the school's west so Faith Lutheran is anxious to see Option A move forward with the big box store moving across the street to the north, which will significantly reduce their concerns.

**5. Charlie Humble, Erickson & Sederstrom**, appeared on behalf of **Faith Lutheran Church and School**, and conveyed that prior to the meeting that Mr. Huston talked about in which the church had formed a task force and met with the Wal-Mart representatives, there was another meeting at the church which was well attended and there was a tremendous amount of concern expressed about having a big box adjacent to this brand new school and church facility. Now, with what appears to be occurring, he has been authorized to say that the church and school are in favor of Option A. If that holds, then that would be a good "land use solution" to this problem and to this area. On behalf of the church and school, he believes Option A is workable and they would be much more supportive of that kind of approach. Absent that, the opposition level would be a crescendo. The Commission needs to understand the depth of concern if this proposal does not go forward as suggested today.

#### Neutral

**1. Carol Brown**, 2201 Elba Circle, requested that Wal-Mart become a good corporate citizen. She showed photographs of the area in close proximity to Wal-Mart on North 27<sup>th</sup> Street, showing the Wal-Mart sacks and debris from unpacking in the parking lot and adjacent areas. There are some very terrible areas right around the store that need to be addressed. The Commission needs to consider what these kinds of developments do to the neighborhoods and everyone else around it. She requested that Wal-Mart be asked to be responsible. Why should we be doing this to our trails and bike paths? There has to be some responsibility.

#### Staff questions

Carlson asked staff to further explain the Comprehensive Plan Amendment, i.e. the types of uses that are called for in the neighborhood center versus a community center. Steve Henrichsen of Planning staff stated that the neighborhood center would be closer to 250,000 sq. ft. in floor area. A community center would be closer to what is being proposed. Up until 2004, the Comprehensive Plan showed a commercial and an employment center here with over two million square feet in floor area, and that was the rationale for recommending approval of the Comprehensive Plan Amendment. The two million square feet that could have come forward on the northeast corner



included a lot of industrial space, such as is found in Horizon Business Center, so the two million square feet would not have been all retail. In fact, probably less than half would be retail. It was designated employment center so there would be appropriate buffers and transition between industrial uses on the north side of Adams and any of the residential uses on the south side of Adams.

Carlson recalled that the intent of the employment center designation is to find higher quality employment. Henrichsen responded stating that the intent was to have a variety of employment centers throughout the community with opportunity for light industrial space. We had designated several employment centers with light industrial throughout the community. This site was shown as light industrial, employment center for about eight years without any uses coming forward. It was noted that if this land did not develop for industrial use, it could go to urban residential use.

Carlson observed, then, that last year the community changed its mind and wanted a neighborhood center of 250,000 sq. ft. Henrichsen suggested that typically the neighborhood center gets uses serving a smaller jurisdiction. The trend now tends to be more larger stores all under one roof.

Carlson assumed that one of the reasons for changing the community center to a neighborhood center is that there was already a community center designation in northeast Lincoln. Henrichsen indicated that there are two community centers – one at 84<sup>th</sup> & Holdrege, which is one mile away. Typically the larger community size commercial centers want to be spaced further apart. The northwest corner includes a large area approved through the use permit and change of zone for a big box grocery store or discount store. The other three corners are smaller office buildings. The other large community size center is at 98<sup>th</sup> and O, designated for light industrial, employment center. Waterford Estates at 98<sup>th</sup> & O is moving forward on the residential portion with quite a bit of infrastructure to build before that land is available.

Henrichsen further explained that 84<sup>th</sup> & Holdrege was shown as a community center in the Comprehensive Plan, with several different zoning districts on each of the corners. Just on the northwest corner of that intersection there is enough space approved for a single big box use.

Marvin confirmed that the community centers are typically spaced three miles apart. Henrichsen concurred. The Comprehensive Plan shows neighborhood centers one mile apart, and community centers in the range of two to three to four miles apart. 84<sup>th</sup> & Holdrege is one mile from 84<sup>th</sup> & Adams.

Marvin inquired about changing the zoning at 84<sup>th</sup> & Holdrege. Henrichsen stated that it would remain designated as a community size center. The real reason the staff is recommending approval of this change to community center at 84<sup>th</sup> & Adams is when the transportation network was planned, the city had planned that there would be a considerable amount of space on the northeast corner of 84<sup>th</sup> & Adams. Option B would allow a potential larger big box user on the southeast corner. It made more sense to the staff to have the planned larger center in Option A on the northeast corner.

Marvin inquired about the roads at 84<sup>th</sup> & Holdrege, west of 84<sup>th</sup> Street. Henrichsen stated that immediately west is the four lanes of concrete, and then Holdrege transitions back to ultimately a 3-

lane (2+1) road.

Carroll inquired about the change to B-2 on the south side of Adams. Henrichsen advised that B-2 would allow a use permit that could allow a single large user on the southeast corner. Under B-2, any use permit needs to look at appropriate transition and buffer. B-2 says the site is appropriate for retail use. B-2 does not carry a cap on the amount of square footage. There are 23-25 acres on the southeast corner, equating to 10,000 sq. ft. per acre, generally around 250,000 sq. ft. of any type of commercial use on the southeast corner.

Pearson inquired as to the impact on the adjacent roadways, 84<sup>th</sup> and Holdrege, as the result of a land use change from residential to commercial and from neighborhood center to community center. What might be anticipated? Dennis Bartels of Public Works stated that he really hadn't studied it with that in mind. He was reviewing the traffic study. The traffic study for this development as a whole, with Prairie Village on the north side of Adams and on the south side, anticipated daily trips of 31,000 + generated from around 300 acres of residential and commercial mix.

Pearson inquired whether the existing roadways are designed to accommodate that, or is there any plan in the CIP to have improvements? Bartels stated that the traffic improvements will have to be worked out in the annexation agreement. With what is already approved and what would be approved with this proposal, the traffic study showed that the capacity of 84<sup>th</sup> Street would be used up by 2010-2015. The Comprehensive Plan shows potential need in the future for a six-lane facility with three through lanes each direction on 84<sup>th</sup> Street between O Street and Cornhusker Highway, based on proposed traffic. Signal improvements would be needed at 84<sup>th</sup> & Adams, and a decision would need to be made whether to consider 4 lanes on Adams between 70<sup>th</sup> and 84<sup>th</sup>, which is contrary to the Comprehensive Plan (two lane is anticipated in the Comprehensive Plan). The traffic study did show some improvements needed to handle the traffic. How we will accomplish those improvements has not been fully determined. It makes it difficult at 84<sup>th</sup> & Adams with the cemetery use which will not change. It is a mystery how long the golf course use might stay there. There would need to be a method figured out to stage the improvements. The traffic study did show warrants for signals at nearly every 1/4 mile intersection between Holdrege and Havelock Avenue. 84<sup>th</sup> Street, with the existing four-lane configuration with improvements identified, would accomplish an acceptable level of service but will not handle the traffic as expediently as it does now.

Pearson inquired whether any of the improvements for 84<sup>th</sup> Street and Adams Street are in the CIP. Bartels stated that there is nothing in the CIP for 84<sup>th</sup> Street. Early this year, Public Works hired a consultant to look at designing an Adams Street improvement based on 2+1, but it is on hold. (Bartels approached the Commission later in the hearing to clarify that Adams Street is in the CIP for funding by the bond issue that did not pass. It is shown as a project in the CIP as an urban cross section to a three-lane 2+1 type facility to 84<sup>th</sup> Street. However, there is no funding because the bond issue failed.)

Bartels confirmed that the widening west of 84<sup>th</sup> Street is not in the CIP. Marvin inquired whether Holdrege is wider than Adams. Bartels advised that Holdrege is closed right now to construct a four-lane cross section from 84<sup>th</sup> to 88<sup>th</sup> Street, with the original Regent Heights that also accommodated some of the retail on the north side of Holdrege west of 84<sup>th</sup> Street. Going into the built up area of the city, Holdrege is a 2+1 cross section.

## Additional Public Testimony

**1. Edward Stringham**, 2231 N. 76<sup>th</sup> Street, approximately one mile from 84<sup>th</sup> & Adams, testified in opposition to a big box store at 84<sup>th</sup> & Adams because of the traffic pattern. Both of the other Wal-Mart sites in Lincoln have been successful because of the good traffic planning with four and six-lane streets. The traffic planning for the proposed site has not lent itself for this kind of facility. Adams is 2 lanes, and west of 84<sup>th</sup> Street it is almost completely bounded by residences and widening that would involve taking out a lot of residences. This site does not have anywhere near the traffic flow availability that this size of facility would require. He is also opposed because of disruption to the neighborhood and existing institutions, including a cemetery, school, etc. There are concerns about firearms being sold near a school; security; and noise and light impact on the church from a 24-hour facility. Stringham is a volunteer for Lincoln Public Schools and he has visited 51 of 53 school buildings. There are no private or public schools immediately adjacent to or across the street from a big box retail development.

Stringham is also concerned about aesthetics. The other two Wal-Mart stores have been placed so they are not adjacent to residences. We already have a ring of residences around the proposed site, approximately one block away, in full view of that site.

Stringham is still opposed to Option A, which places the big box store across the street from the school.

**2. Stuart Tietz**, Principal of **Faith Lutheran School**, encouraged the Planning Commission to consider the foot traffic potential that is around a school with children walking to and from school in a neighborhood considering a large box store. We are asking the children to cover four to six lanes of traffic. In the school environment, we do everything to protect the children in movement on foot. When you have large retail box stores, you have high volume of traffic and there are children and people walking in a school neighborhood. Locating that volume kind of store in a school and neighborhood creates a concern for children and pedestrians. Typically, in a large box store environment, the large box store is put in an environment where foot traffic is at a minimum with auto traffic accessibility.

In response to a question by Marvin, Bartels advised that there are two access points shown in the ½ mile frontage on 84<sup>th</sup> Street. There are already two median openings, one just south of the bike path and then one at basically 87<sup>th</sup> Street, which is a four-way intersection on Adams, where we anticipate another median opening.

With regard to traffic signals, Bartels advised that the traffic study done by the developer showed that those intersections would ultimately need traffic signals.

## Response by the Applicant

Peter Katt responded to the testimony regarding the concern about the level of impact on the adjacent neighborhood that a development of this magnitude may have. He stated, "rest assured that there is no one in the city that has more money invested or more at risk than his client on making sure that the transition between the commercial component and the residential

development is wonderful, because he is investing millions, and will invest millions, in building that neighborhood, and he does not want to have a commercial area immediately adjacent to this huge investment that is something that is not going to be attractive that he will not be able to market to people that want to live there. No one in the city has more at risk than his client in making sure that this commercial component is acceptable and will be conducive to having a neighborhood adjacent to it.”

With regard to the various questions in terms of the Comprehensive Plan amendment, Katt displayed the land use map from the Comprehensive Plan. There is a significant portion of commercial being moved to the north side, but as a part of the staff recommendation in terms of the PUD, the area which remains commercial is of a significantly different character than the commercial component that exists today because it requires a much lower intensity of commercial use, split between office and retail, and the Planning staff is taking into account a lot of various factors in recommending a change and moving it up to the north. The more intense retail component, big box potential, will be moved north into an area that has no current development; will be able to be well-sited and designed to be compatible with the adjacent neighborhood; and will eliminate the possibility of any big box locating on the south side of Adams. In addition, all of that more intense commercial retail will all be accommodated without the need to drive on 84<sup>th</sup> Street and Adams Street.

Katt also pointed out that Option B (which has been withdrawn) was fully consistent with the Comprehensive Plan, which would allow 250,000 sq. ft. of more intense retail on the south side of Adams, and that much or more on the north side. Thus, this proposal (Option A) consolidates all of that more intense retail component into one location and makes for a lower impact on the neighborhood.

With regard to existing community center designation at 84<sup>th</sup> & Holdrege, that designation has been on that property for over 6 years. Does the market place play any part in decisions about where people make the investment? No big box retailer has yet been willing to make the investment of developing the 84<sup>th</sup> and Holdrege site. So if the market place has any meaning, and if our Comprehensive Plan and zoning is to respond to market needs, this site has interest. 84<sup>th</sup> and Holdrege does not.

With regard to issues on roadways, Katt noted that the professional staff recommendation on the roadway configurations for both Holdrege and Adams were 4+1. That advice was ignored and for whatever reason, those configurations became 2+1. A community can make a choice that the level of service is less than ideal but accommodates neighborhood interest, and so far the city has said we do not desire the ultimate level of transportation network in this area. We are willing to live with less traffic because we want to do 2+1. If the Comprehensive Plan has meaning, then that community choice should be respected. Staff has indicated that the road network is going to be insufficient no matter what develops.

With regard to the site plan specifics and layout, Katt advised that those are details that need to happen in the annexation agreement. At this point, the city says it has no money. Those are negotiations that will happen for this to move forward to the next level.

As to the “bigger picture” – is this better for our community in the long run? – Katt asked the Commission to remember that Adams is designed and planned for a connection with 98<sup>th</sup> Street, and even further out a connection to the East Beltway. What does that tell you about our long range vision for Adams Street? It says a lot.

Katt also noted that there was some testimony about opposition to big boxes in general. The Comprehensive Plan does not talk much about big boxes but overall square footages. We need to recognize that what gets built is what is attractive in the market place, and what is attractive in the market place is where people are willing to spend their dollars. Today people are wanting to spend their dollars at retail establishments that are under one roof. We need to accommodate the market demands as best we can and then mitigate and work to make sure that the siting locations can achieve the best overall result for everyone. Katt believes that Option A of this proposed PUD accomplishes that balance for our community – providing a place to meet the market need – and is respectful of the rest of the neighborhood.

### **COMPREHENSIVE PLAN AMENDMENT NO. 05012**

#### **ACTION BY PLANNING COMMISSION:**

April 13, 2005

Pearson moved to deny, seconded by Carlson.

Pearson commented that this talks about changing the zone from residential to commercial, which is increased use; and neighborhood to community center, which is increased use; and the traffic count could be 31,000 + a day. We have a two-lane paved street with houses on both sides. It is going to be very difficult. It is adjacent to a cemetery, a golf course, a church and a school. She can see where this development would work in many places in Lincoln, but she is having a hard time believing this is the site for it.

Carlson referred to p. 223 of the agenda (p.3 of the staff report) commenting on the community center that existed prior to last year, which states:

The Community Center designation at 84<sup>th</sup> and Adams was not necessary to serve the needs of this area, but was instead reflecting that the large Employment Center may also include some office and retail use that would be beyond the size of a Neighborhood Center. If the 84<sup>th</sup> and Adams Community Center is deleted, a new location for this center does not need to be found, due to the proximity to three other Community Centers.

If we are looking at this from a planning perspective, Carlson believes that northeast Lincoln is being served. He believes the Comprehensive Plan shows appropriate commercial areas. Also, it is previously designated that it should be an employment center. It is important that economic development creates higher wage jobs. An employment center is the type of center that is likely to do that. Retail is not likely to do that. When we talk about the existing neighborhood center designation versus community center designation, we have already established that there is not a need for a community center here but potentially a need for a neighborhood center. From a planning perspective, Carlson believes there needs to be further discussion about the super center dynamic before making this change and the accompanying annexation and change of zone. We need to be asking the broader question – Is this better for our community? The super center

gobbles up the neighborhood. Is that better for our community? As we try to look broadly, he thinks that it is not. We need to consider what is better to facilitate the higher paying jobs, the stronger local retail, the neighborhood center and the neighborhood uses around it.

Larson agreed. The traffic that is going to be generated is too much next to a golf course, a school, a church and a cemetery. It just doesn't seem to fit. He does not see the need for a super center at this location.

Bills-Strand pointed out that this proposal does not increase the overall commercial square footage. The Planning Commission is not making a political decision.

Motion to deny carried 5-4: Pearson, Marvin, Carlson, Taylor and Larson voting 'yes'; Carroll, Krieser, Sunderman and Bills-Strand voting 'no'. This is a recommendation to the City Council.

\*\*\*\*\*

### **APRIL 27, 2005**

Members present: Carroll, Pearson, Marvin, Krieser, Sunderman, Carlson, Taylor, Larson and Bills-Strand.

Chair Bills-Strand.....announced the request for the Commission to rescind their previous action of denial on the Prairie Village North Planned Unit Development and associated requests at 84<sup>th</sup> & Adams Street.

Larson made a motion to rescind the Planning Commission recommendation of denial on **COMPREHENSIVE PLAN AMENDMENT NO. 05012**, seconded by Sunderman.

#### **Ex Parte Communications:**

Marvin disclosed that he visited with Peter Katt, who represented that the applicant is most interested in the residential portion of the PUD; the fact that the Planning Commission recommended denial does not give any direction to the City Council. The applicant would like a rehearing and direction from the Planning Commission, such as downsizing the commercial component, etc.

Carlson disclosed that he had calls from four or five of the neighbors that were confused as to why we were entertaining a motion to change our minds. He suggested that they e-mail the Planning Department so that everyone has the same information.

Bills-Strand disclosed that she did receive some phone calls but she was out of town.

Krieser disclosed that he had some telephone calls.

Taylor disclosed a call from Channel 10/11 and Steve Champoux, who urged that the emphasis really is not the commercial but the residential; however, he stated that Wal-Mart

is a very important component to their planning. He also was told that the other alternative is to look at the southeast corner, which is closer to the school.

Pearson does not believe there are any ex parte communications since there is no motion that has been advertised. She does not believe ex parte is essential to this action. She has talked to a great number of people, including the newspaper and television station. A great number of people think part of this is a ruse. The site on the southeast corner is not big enough for a Wal-Mart. The reasons why they want this rescinded have nothing to do with where Wal-Mart is going to be located. They just don't want a denial to go to the City Council. She had ex parte with legal counsel for the city. She believes this is a dangerous precedent. She does not believe the Planning Commission should rescind action that has already been taken.

Discussion on the Motion to rescind: Larson stated that he has all kinds of mixed emotions on this question and wants everyone to know that he wishes Wal-Mart would go away because he does not believe they add much to our community. He voted against this proposal on the northeast corner of 84<sup>th</sup> & Adams at the last meeting thinking that that might take care of it, but he understands that Wal-Mart now may come back with an application for the southeast corner. While the northeast corner would not be great, the southeast corner would be disastrous because it would put it so close to the school and church. He is making the motion to rescind in the hopes of choosing the lesser of two evils and put Wal-Mart on the northeast corner.

Larson went on to state that in reality, he does not think the Planning Commission votes should reflect the desire to have a certain company here or there. It should be based on good planning. Whether or not we like Wal-Mart should not have anything to do with it. That is why he made the motion to rescind.

Carlson commented that technically, we may not have an ex parte situation, but he cannot imagine how this does not involve the spirit of ex parte. We had public hearing, motions were made, actions were taken, and now we have a request for reconsideration based on what? Why would we think about changing our mind? What is the new information? What has been told? The motion that is in front of us is dangerous and ugly. This is a bottomless pit that will lead us to make a decision and then have conversations off the record outside the public hearing and come back and make a motion to rescind. This is very bad public process and evades public trust. Just to be clear, this is not about one site or another site. Our motion was to deny the application; that application was on the northeast corner; that motion was to deny and that motion carried – that's it.

Bills-Strand asked staff whether there was information given at the hearing that was inaccurate or misleading that needs to be corrected? Marvin Krout, Director of Planning, does not believe so.

Taylor stated that in his ex parte communications, there were some words that could tend to breed fear that the Wal-Mart would move from the north to the south. He does not believe the commission should be motivated in this way. The Commission voted on the information before them. He does not see any reason to recant that decision.

Carroll commented that he was on the losing side of the vote, but he thinks it was in the public forum where it needed to be. Everything was discussed. The information he had helped make the decision. He does not think it needs to be voted upon again.

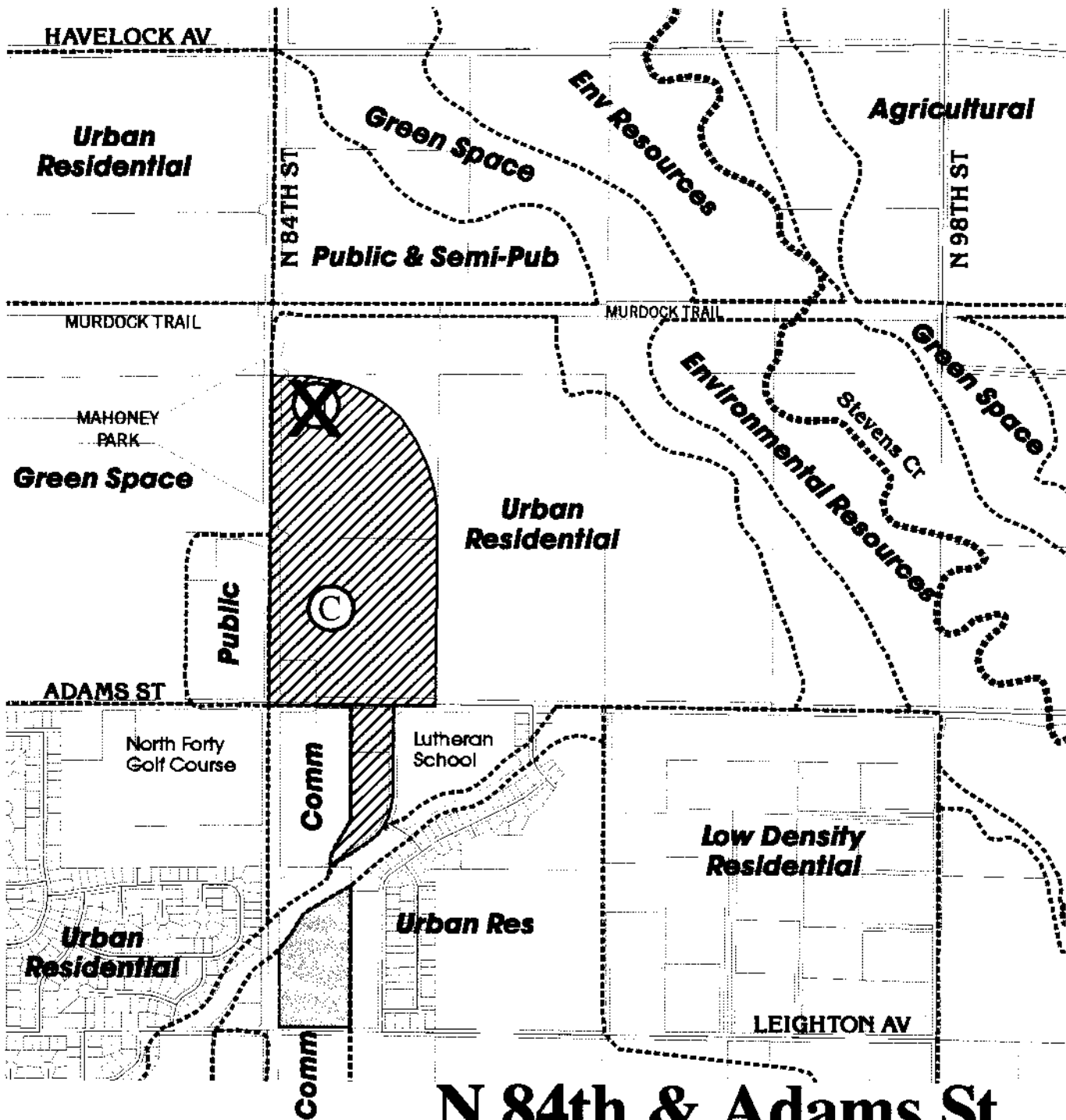
Bills-Strand agreed. She was also on the losing side of the vote. If there was misinformation that we were given that needed to be corrected, she would be more open to rehearing it.

Motion to rescind failed 2-7: Larson and Krieser voting 'yes'; Carroll, Pearson, Marvin, Sunderman, Carlson, Taylor and Bills-Strand voting no. The recommendation of denial to the City Council stands.

The Clerk then called into the record the associated **ANNEXATION NO. 05005**. There was no motion. The recommendation of denial to the City Council stands.

The Clerk then called into the record the associated **CHANGE OF ZONE NO. 05020, PRAIRIE VILLAGE NORTH PLANNED UNIT DEVELOPMENT**. There was no motion. The recommendation of denial to the City Council stands.





# N 84th & Adams StProposed Amendment # 05012

- ..... Future Service Limit
- ..... Land Use Boundary
- Res** Land Use Category
- From Commercial to Urban Residential
- From Urban Residential to Commercial
- New Community Center (Site Specific)
- Delete Neighborhood Center



017



CITY OF LINCOLN  
NEBRASKA

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

# LINCOLN/LANCASTER COUNTY

2005

## COMPREHENSIVE PLAN AMENDMENT APPLICATION

*The use of this application is appropriate when a change to the adopted Lincoln/Lancaster County Comprehensive Plan is desired. The required questionnaire on the reverse side of this application must be completed as well. Applications for the 2005 Annual Review are due to the Planning Department no later than 4:30 p.m. on February 2, 2005.*

### PART I.

*Please print or type.*

Date: March 3, 2005

Applicant: Prairie Homes

Mailing Address: 2045 South Folsom

City: Lincoln State: NE Zip: 68522

Phone: (402) 476-6599

Contact (if not applicant): Jason Thiellen, Engineering Design Consultants

Mailing Address: 2200 Fletcher Aveune

City: Lincoln State: NE Zip: 68521

Phone: (402) 438-4014

***Application Fee of \$250.00 to the City of Lincoln.***

If applicable, name of general area/location/site which would be affected by this proposed change (Attach additional sheets if necessary.).

Northeast corner of 84th and Adams Street,

W 1/2 SW 1/4 Section 11, T10NR7E

Applicant Signature: 

Date: 3/5/05

*on behalf of  
Prairie Homes*

PLANNING DEPARTMENT USE ONLY:	
RECEIPT NO.	<u>130468</u>
DATE	<u>3-2-05</u>
FEE PAID	<u>\$ 250</u>

E:\PC\FORMS\CP Amendment App. Form.wpd

618

## PART II.

### **REQUIRED QUESTIONNAIRE: COMPREHENSIVE PLAN AMENDMENT APPLICATION**

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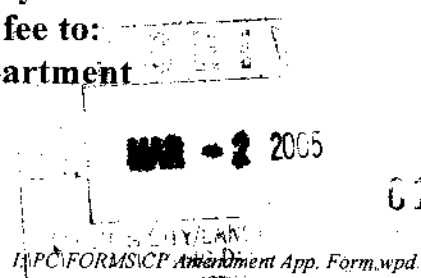
Please answer the following questions in text and/or graphic format and attach them to the application. Answer all questions on a separate sheet of paper and reference the question number in your answer.

1. Provide a detailed description and explanation of the proposed amendment. Include the Element (Land Use, Transportation, etc.) to be amended. (Please attach map and legal description if proposal is for specific tract of land.)
2. Describe how the proposal is currently addressed in the Comprehensive Plan. If the issue is not adequately addressed, describe the need for it.
3. What do you anticipate will be the impacts (fiscal/CIP, environmental, phasing, etc.) caused by the proposal, including the geographic area affected and the issues presented? Why will the proposed change result in a net benefit to the community? If not, what type of benefit can be expected and why?
4. How would the proposed change comply with the community vision statements, goals, principles, and policies of the Comprehensive Plan? Include any specific page numbers from the Plan, research, or reasoning that supports the proposed amendment.
5. Is there public support for this proposed text amendment (i.e. have you conducted community meetings, etc.)?

---

**Your Comprehensive Plan Amendment Application must be received by the Planning Department no later than 4:30 p.m. on February 2<sup>nd</sup> to be considered.**

**Please send application and application fee to:  
Lincoln-Lancaster County Planning Department  
555 South 10<sup>th</sup> Street, Suite 213  
Lincoln, NE 68508.**



## **Proposed Comprehensive Plan Amendment**

1. This amendment proposes a change to proposed land use from Neighborhood Center to Commercial Center for the property generally located on the Northeast corner of North 84<sup>th</sup> Street and Adams Street, more specifically identified as:

Lots 28 IT, 29 IT, and 36 IT located in the West ½ of the Southwest ¼ of Section 11, Township 10 North, Range 7 East; located east of the 6<sup>th</sup> P.M., Lancaster County Nebraska.

See attached exhibit.

2. The current Comprehensive Plan calls for a "Neighborhood Center" at the corner of 84<sup>th</sup> & Adams Street. This amendment would reinstate the designation of "Commercial Center" for this location that existed in the Plan prior to Comprehensive Plan Amendment #04012 approved in June 2004.
3. Required infrastructure improvements to public streets and utilities will be addressed through developer negotiations for the proposed Prairie Village North Planned Unit Development.
  - a. The area is already serviceable with sanitary sewer.
  - b. Water service is available adjacent to the property. However, improvements will be necessary to provide adequate redundancy for domestic service and fire protection. These improvements are identified in the current C.I.P. Funding may be accelerated with developer negotiations.
  - c. 84<sup>th</sup> Street adjacent to the amendment area is currently improved to urban standards. Other adjacent arterial paving improvements are currently partially funded based on previous annexation agreements. However, the remaining funds are not yet included in the C.I.P. Gaps in the funding will be addressed in with Developer Negotiations.
4. The Planned Unit Development plan proposed for this area incorporates the ideas expressed under the Commerce Center section of the Comprehensive Plan to be responsive to market demands by providing space for multiple "big box" retailers who have shown interest in locating in the area. The proposed commercial space will allow for mixed uses and shared parking as encouraged in the Plan. The development will include high density residential uses within walking distance of the commercial area. The center will have multiple accesses from major arterial streets as well as local streets from the adjacent residential areas.
5. A public meeting held to discuss proposed development in the area showed community support for moving the "Big Box" commercial use currently proposed on the southeast corner of 84<sup>th</sup> and Adams Street to the north of Adams.

N

NO SCALE

W 1/4 CORNER  
SEC. 11-10-7

CENTER OF  
SEC. 11-10-7

N 84TH STREET

SW CORNER  
SEC. 11-10-7

ADAMS STREET

S 1/4 CORNER  
SEC. 11-10-7

021



**PRAIRIE VILLAGE NORTH  
COMPREHENSIVE PLAN AMENDMENT  
LINCOLN, NEBRASKA**

Drawn By: NLP  
Dwg.: comp amend  
Date: 03/03/05  
Job#: 03-100

**SHEET  
1 OF 1**



Brad Parker  
<bmpark@yahoo.com>

04/11/2005 09:38 PM

To: plan@lincoln.ne.gov  
cc:  
Subject: Change of Zone #05020

We are new property owners in Prairie Village. We love the quiet and solitude of our new development. We realize change is imminent in our growing city. Does it have to include more Wal-Marts?

Our first request is to consider the small business owners that make up 65% of Nebraska's employers. Another Wal-Mart will certainly impact the Havelock and Meadowlane business owners that have been present for years. Please consider this as you hear the promises from the Wal-Mart corporation. Our first suggestion would be to look elsewhere for commercial properties, perhaps a locally owned grocery store.

Secondly, if a Wal-Mart is inevitable we approve of the Change of Zone #05020. The proposed development on the Northeast corner of 84th & Adams makes more sense than trying to squeeze a Wal-Mart next to a thriving and growing church and school. The parking problems and transient problems that are inherent with a Wal-Mart would certainly negatively impact Faith Lutheran Church and School.

Changing the Southeast corner of 84th & Adams from AG to O-3 zoning would be a better fit with the church and growing community on that section of ground. It would also impact our financial investment in our new home less drastically by allowing an Office Park District as opposed to a noisy 24/7 Wal-Mart.

The inherent traffic problems with such a proposal are frightening. There is a cemetery, a golf course, large power lines and only a four lane intersection at 84th & Adams. Certainly, further north on 84th Street where there is available ground which is flat, undeveloped and closer to Cornhusker Highway and I-80 seems to be a better fit for such an ambitious proposal and commercial site. The Lincoln Planning Commission needs to take initiative, not be pushed around by "big business."

Thank you for your consideration of our thoughts.

Brad & Mary Parker  
8900 Prairie Village Dr  
Lincoln, NE 68507

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<http://mail.yahoo.com>

(p.221 - Public Hearing - 04/13/05)



Lori Humlicek  
<lhumlicek@faithlincoln.org>

To: plan@lincoln.ne.gov  
cc:  
Subject: Walmart

04/12/2005 01:13 PM

Dear Planning Commissioners:

As a resident of Regent Heights and a member of Faith Lutheran Church, I am writing this e-mail regarding the proposed site(s) for Wal-Mart.

I have read about Option A and Option B in the Lincoln Journal Star. I am completely opposed to Option B. I feel very strongly that a large box store directly west of Faith Lutheran would be detrimental to the ministry at Faith. Safety of our children, crime, alcohol, tobacco, firearms, traffic, trash, etc., are of great concern. Please do not consider this option.

Option A is probably the lesser of two evils. Faith Lutheran would not have Wal-Mart as their front-door neighbor; however, it is still too close to a school with 300+ children. I believe that a 24/7 operation so close to Faith Lutheran is still not acceptable due to the concerns listed above.

Would the Planning Commission and the City Council please consider a site further north on 84th street? Wal-Mart would be easy-to-access, but would not be breathing down the neck of Faith Lutheran or the area residents.

Sincerely,

Lori K. Humlicek

4/12/05

I would like you to vote for  
Option A

Thank You -

*[Signature]*

(No return address)

*[Signature]*



4-9-05

PLANNING COMMISSIONERS

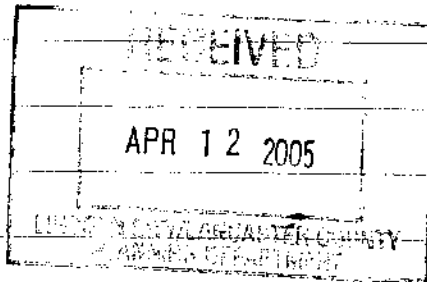
WE WANT TO URGE THE PLANNING  
COMMISSION TO VOTE FOR OPTION A  
OF PRAIRIE HOMES DEVELOPMENT  
PROPOSAL AT 94<sup>TH</sup> AND ADAMS

THANK YOU.

Bob - NORMA Bechtolt



Bob & Norma Bechtolt  
3710 Doral Ln.  
Lincoln, NE 68507-2049



PLANN  
COM  
555  
Lincoln

05012-010

05012-010

ITEM NO. 3.6a,b,c: COMP PLAN AMENDMENT NO. 05012  
ANNEXATION NO. 05005  
CHANGE OF ZONE NO. 05020  
(p.221 - Public Hearing - 04/13/05)



Coramaggie@aol.com

04/11/2005 11:14 AM

To: plan@lincoln.ne.gov

cc:

Subject: Prairie Homes Development proposal - Wal-mart site

To all City of Lincoln Planning Commissioners,

I apologize for the lateness of my request but would appreciate the vote for Option A of Prairie Homes Development's proposal to provide a place for Wal-Mart on a commercial site north of Adams Street. Please vote for Option A.

Sincerely,

Cora Matthes  
7024 Colfax Ave.  
Lincoln, NE 68507

(p.221 - Public Hearing - 04/13/05)



Doug Smith  
<homehi1002@yahoo.com>

To: plan@lincoln.ne.gov  
cc:  
Subject: Proposed Wal-Mart Site

04/11/2005 10:39 AM

Planning Commissioners:

We are respectfully writing to ask that when the matter comes before you on Wednesday afternoon regarding the proposed site for the new Wal-Mart Store, that you would consider passing "Option A" which would limit, by zoning, a big box store such as Wal-Mart from moving into the property immediately west of the current Faith Lutheran Church and School property.

As a Mother and Aunt respectively of a kindergarten student attending Faith School, we have serious concerns in the areas of security for the students, traffic and noise concerns. In addition, we are members of Faith Lutheran Church. We moved to our current location in order to build up our Church ministry. We are deeply concerned that if a operation such as Wal-Mart or any other "big box store" was to move in to the property immediately west of us, that this would hinder our outreach and growth as a Church.

We are unable to attend the meeting on Wednesday because of work commitments, but we hope that you will look at both proposals and would consider the proposal by Prairie Homes Development to provide a place for Wal-Mart on a commercial site north of Adams Street and choose "Option A".

Dayna Souza  
6235 Holdrege Street, #D-10  
Lincoln, NE 68505  
(402) 466-2911

Donnell Nicholas  
2826 No. 65th Street  
Lincoln, NE 68507  
(402) 464-7142

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"Tom Schulte"  
<tom@brstores.com>

04/21/2005 09:17 AM

To: <CouncilPacket@ci.lincoln.ne.us>, <JWalker@ci.lincoln.ne.us>  
cc: <MKrout@ci.lincoln.ne.us>, <RHill@ci.lincoln.ne.us>,  
<RHorner@ci.lincoln.ne.us>, <DBartels@ci.lincoln.ne.us>,  
<RHoskins@ci.lincoln.ne.us>  
Subject: Re: Planning Commission Action on Prairie Village North at 84th &  
AdamsStreet

Traffic cannot handle this type of demand out there. Lincoln has had a black eye for some time due to poor future traffic planning. I'm glad to see Lincoln is making some progress there. Without MAJOR road expansions/adjustments, a development with 30,000 to 40,000 extra vehicles per week would be devastating to traffic flow and lead to numerous accidents. As a consumer (I live in the 84th & Leighton area) I can get to Gateway &/or 27th & Superior within 10 minutes. This area does not need to become another 27th & Superior Mecca, nor as is noted above can it handle the traffic.

If the vote was 5-4 the other way, would the people have opportunity to rescind a previous vote??? Getting awful political here. If you look around the country, this is typical of walmart influence. I hope the city doesn't sell their soul because of short term tax gains.

Quite frankly, I was surprised by the vote as I believe many were. I'm glad to see there were 5 city planners who thought it through. I can only hope the influence of walmart doesn't win them over.

Thanks for listening.

Tom Schulte

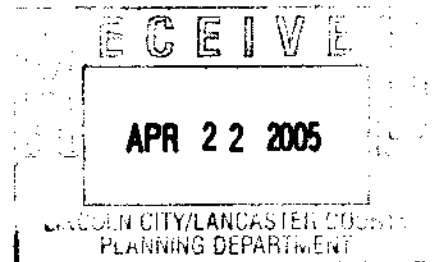
----- Original Message -----

From: <JWalker@ci.lincoln.ne.us>  
To: <CouncilPacket@ci.lincoln.ne.us>  
Cc: <MKrout@ci.lincoln.ne.us>; <RHill@ci.lincoln.ne.us>;  
<RHorner@ci.lincoln.ne.us>; <DBartels@ci.lincoln.ne.us>;  
<RHoskins@ci.lincoln.ne.us>; <lawkatt@pierson-law.com>;  
<jthiellen@edc-civil.com>; <thuston@clinetwilliams.com>; <humble@eslaw.com>;  
<drademacher@oaconsulting.com>; <AHarrell@ci.lincoln.ne.us>  
Sent: Wednesday, April 20, 2005 8:47 AM  
Subject: BP: Planning Commission Action on Prairie Village North at 84th &  
AdamsStreet

> (See attached file: BPC050420.pdf)  
>  
>  
>  
> --Jean Walker, Administrative Officer  
> City-County Planning Department  
> 441-6365

April 22, 2005

Lincoln/Lancaster County Planning Commission  
555 S 10<sup>th</sup> Street, Room 213  
Lincoln, NE 68508



Re: Northwest corner of 84<sup>th</sup> & Adams  
Comprehensive Plan Amendment 05012  
Annexation 05005  
Change of Zone 05020

I would like to make a comment about the request for motion to rescind your vote to deny the above referenced proposals. I wish to remind you that the commission's vote is only a recommendation to the City Council.

I don't really see that anything has changed so drastically that the commission needs to set a precedent of going back over decisions that have already been heard and voted upon. This would open up a Pandora's box of anyone not pleased with your vote to ask for it to be rescinded and heard again.

With the Golf Course and cemetery, the streets can not be designed and built in a timely fashion to allow any large box stores to be developed in any quadrant of the intersection. If the developer really wants to push this issue, let him pay for the streets to be improved east and west of Adams BEFORE building any buildings on the north side.

I would ask that you not consider this motion. Let the City Council do its job and vote on the items as originally voted upon by the Planning Commission.

If you have any questions, please feel free to contact me at 466-2740 (h), or 479-4462 (w).

Sincerely,

Todd W. Wicken  
2740 North 89<sup>th</sup> Street  
Lincoln, NE 68507

CC: File



Rebecca D Horner  
04/22/2005 09:39 AM

To: Jean L Walker/Notes@Notes  
cc:  
Subject: 84th and Adams

Rebecca D. Horner  
Planner  
City of Lincoln  
Planning Department  
(402)441-6373  
RHORNER@LINCOLN.NE.GOV

----- Forwarded by Rebecca D Horner/Notes on 04/22/2005 09:44 AM -----



mdjustus@aol.com  
04/22/2005 09:04 AM

To: rhorner@lincoln.ne.gov  
cc:  
Subject: 84th and Adams

I understand the Commission may be reconsidering the 84th and Adams situation. I am strongly opposed to any plan that would allow a large commercial operator (Shopko, Walmart, Target, etc ) on the SE corner of that site. I think its crazy to consider putting something like that next to a school and in a residential neighborhood. If this were an LPS school this wouldn't even be debated.



"Ned Stringham"  
<nstring@inebraska.com>

To: "Lincoln Planning Commission" <plan@lincoln.ne.gov>  
cc:  
Subject: Re: Prairie Village North development at 84th & Adams

04/26/2005 05:51 PM

From Mr. & Mrs. Edward Stringham 2231 N. 76th St.

We would urge the planning commission **not to rescind** its earlier vote to recommend denial of a zoning change for the 86th& Adams site.

First of all, rescinding a previous decision made publicly in a meeting not open to the public raises questions in the public's mind. Are there new inducements or dealings being brought forth by the developer? What is the character of the planning commission that would make one decision publicly and then rescind it privately? May we expect more turnaround decisions from this body in the future?

Secondly, the motion being refiled as a land use issue and not a traffic issue rather begs the question. The land use

intended by the big box developer is to generate traffic to its big box discount store, otherwise why locate there?

The 31,000 additional daily car trips generated *will* impact the streets and schools, church and cemetery and neighborhoods adjacent to the proposed development. The present surrounding arterials are not handling the traffic well now and cannot be easily widened. In addition to the Faith Lutheran School and Church, which would be most impacted whichever side of the street the big box is located on,, there are schoolchildren who cross Adams each day to attend Kahoa public school and their travel would certainly be affected by increased traffic on Adams.

The developer is proposing a big box structure, which will be paving over a huge amount of land, to accommodate a huge amount of vehicles which will travel over streets not designed to handle them. This is land use which creates traffic which is not wanted by the majority of property owners already living there and those with homes under construction in the area. We do not see how you can separate land use from traffic concerns in this case.

Moreover, Lincolniters have indicated the jobs they would most like to have created are more higher paying jobs in office park/ supermarket/drug store scenarios that have neighborhood interests and aesthetics at heart. We urge the Commission to continue its record of supporting neighborhood interests and of sticking by its decisions.



Susie Schulte  
<sgschulte79@yahoo.com>

04/27/2005 08:05 AM

To: plan@lincoln.ne.gov  
cc: Kathy <knuttelman@dor.state.ne.us>, council@ci.lincoln.ne.us, Tom Schulte <tom@brstores.com>  
Subject: 84th & Adams

I am asking you all to CAREFULLY think this area through and take you time when it comes to the possibility of a Walmart out here. We DON'T need another one here in Lincoln, NE.

You will get your tax dollars else where with LESS busy commercial developments around here. It is busy enough around here as it is.

We all like choice when purchasing our needs.

I am at a total loss of what more to say - it has all been said.

\*\*Streets not ready or ever capable of this kind of traffic.

\*\*Safety of 300+ school children at Faith Lutheran with Walmart close on either side of Adams.

\*\*Plenty of Walmarts already in Lincoln and in Nebraska. (I can drive to either one in 10 minutes from this area)

\*\*Trash, RV parking, Walmart's well-known safety problems of all kinds.

\*\*Loss of local businesses in this whole area that care for me as a consumer.

The vote was cast previously-it should stay as voted upon. I do not understand how another vote could happen? What could change your minds? Empty promises? A greedy developer? Although, if I were to build a new house it would certainly not be overlooking a Walmart Super Center. Would yours?

I thank you for your time and pray you will make the right decision for the future of East Lincoln.

Thank you to those I have spoken with in person over the phone for listening and taking the time to return my calls.

Please feel free to contact me with any questions. I would be glad to talk with you.

Very Sincerely,

Susan Schulte  
466-1239  
8120 Whitney Court

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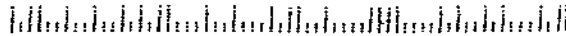
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Planning Department  
555 South 10th Street  
Lincoln NE 68509

MAY 2 - 2005



4/30/05

Planning Department

I'm praying that you do  
not allow a Walmart East of 84th  
+ south of Adams - I do not think we  
need a 3rd Walmart. I prefer the small  
business of Havelock. I live a little west  
of 84th.

*Ruth Mussmann*

God  
Bless  
America

Ruth Mussmann  
2320 Nancy Dr.  
Lincoln, NE 68507-3369